

REMARKS

This is a full and timely response to the Office Action mailed March 22, 2005. Claims 1-53 are pending in the application.

Claim to Domestic Priority Under 35 U.S.C. § 120

The Office Action denies Applicants' claim to priority to provisional Serial No. 60/254,840, filed December 11, 2000. The Office Action states that

On December 11, 2000 Applicant filed a document entitled: "Patent Disclosure for Routing the Initiation of Communication Sessions which contains references cited, a list of the inventors, the name of the Assignee and had a total of sixty-seven (67) pages whereas the later filed specification entitled "System and Method for Assisting in Controlling Real-Time Transport Protocol Flow Through Multiple Networks via Screening" followed the recommended format of the MPEP and had a total of 103 pages.

Applicant is invited to ascertain the equivalency of these two documents both in form and substance.

Applicants have reviewed the provisional and the utility, and assert that the two are substantially the same. Specifically, the Background section of the utility (pp. 2-9) substantially corresponds to pp. 2-10 of the provisional, and the Detailed Description section of the utility (pp. 14-103) substantially corresponds to pp. 10-67 of the provisional.

As further evidence of similarity, Applicants submit that that word count on the two documents is similar (29,367 in the provisional and 27,905 in the utility), and that the Figures are similar (except for Fig. 2 of the utility, which is labeled "prior art"). Finally, Applicants further assert that each of the claims allowed by the Examiner are supported by both the provisional and the utility.

Applicants submit that this evidence is sufficient to rebut the Office Action's stated reasoning as to why the instant application is not entitled to a claim of priority to the provisional. According to MPEP 2163.04, Applicants are entitled to a presumption that the description (including that contained in the provisional) is adequate. Therefore, Applicants request that the claim to priority be granted and that a Notice of Allowance be issued.

CONCLUSION

In summary, Applicants respectfully submit that presently pending claims 1-53 are allowable and the present application is in condition for allowance. Should the Examiner have any comments regarding the Applicants' response, Applicants request that the Examiner telephone Applicants' undersigned attorney.

Respectfully submitted,

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